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DISTRICT OF UTAH  
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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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**INDICTMENT**

UNITED STATES OF AMERICA,	:	21 U.S.C. § 841(a)(1), POSSESSION OF METHAMPHETAMINE WITH INTENT TO DISTRIBUTE
vs.	:	18 U.S.C. § 924(c), POSSESSION OF A FIREARM IN FURTHERANCE OF DRUG TRAFFICKING CRIME
JOSE GUERRERO,	:	18 U.S.C. § 922(g), POSSESSION OF A FIREARM BY A RESTRICTED PERSON
Defendant.	:	

The Grand Jury charges:

**COUNT I**

Case: 2:12-cr-00005  
Assigned To : Stewart, Ted  
Assign. Date : 01/04/2012  
Description: USA v.

On or about November 22, 2011, in the Central Division of the District of Utah,

JOSE GUERRERO,

defendant herein, did knowingly and intentionally possess with intent to distribute fifty (50) grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, within the meaning of 21 U.S.C. § 812; and did aid and abet therein, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(B).

**COUNT II**

On or about November 22, 2011, in the Central Division of the District of Utah,

JOSE GUERRERO,

defendant herein, did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, within the meaning of 21 U.S.C. § 812; and did aid and abet therein, in violation of 21 U.S.C. §841(a)(1) and 18 U.S.C. § 2, and punishable pursuant to 21 U.S.C. § 841(b)(1)(C).

**COUNT III**

On or about November 22, 2011, in the Central Division of the District of Utah,

JOSE GUERRERO,

defendant herein, in furtherance of a drug trafficking crime; to wit: possession of methamphetamine with intent to distribute as alleged in Count II of this indictment, which Count is incorporated herein, did knowingly possess a firearm, to wit: Colt .38 caliber handgun, all in violation of 18 U.S.C. § 924(c)(1)(A), and punishable pursuant to 18 U.S.C. § 924(c)(1)(B).

**COUNT IV**

On or about November 22, 2011, in the Central Division of the District of Utah,

JOSE GUERRERO,

defendant herein, having been convicted of a misdemeanor offense of domestic violence, did knowingly possess in and affecting commerce a firearm, to wit: a Colt .38 caliber handgun; all in violation of 18 U.S.C. § 922(g)(9), and punishable pursuant to 18 U.S.C. § 924(a)(2).

**NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE**

As a result of committing the felony offenses alleged in Counts I through IV of this indictment which are punishable by imprisonment for more than one year, the above-named defendant shall forfeit to the United States pursuant to 21 U.S.C. § 853 any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said felony offenses and any and all property, real and personal, used or intended to be used in any manner or part to commit and to facilitate the commission of a violation of 21 U.S.C. § 841 (a)(1) and any property traceable thereto and, pursuant to 18 U.S.C. § 924(d) any and all firearms involved in or used in any knowing violation of 18 U.S.C. § 924 including the firearm listed in Count III, to wit:

- 2007 Toyota bearing Utah plate Y983EV
- Smith and Wesson .38 caliber handgun, serial number 90463 and 11K2285
- \$1,983.00 in U.S. Currency

A TRUE BILL:

*JS/*  
FOREPERSON OF THE GRAND JURY

DAVID B. BARLOW  
United States Attorney

  
DON BROWN  
Special Assistant United States Attorney